THE DAILY UNION BANNER.

VOL. I. SALISBURY, N. C., THURSDAY, AUGUST 24, 1865. NO. 77

TERMS OF SUBSCRIPTION AND ADVERTISING.

Our paper will be published daily at the following rates in Federal currency:

Daily, 1 year,	$10 00
" 6 months,	5 00
" 1 month,	1 00
Weekly, 1 year,	$3 00
" 6 months,	2 00
" 1 month,	50

Cash in advance.

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(PAYABLE IN ADVANCE.)

Ten lines or less, small type, or one inch space, to count as a square.

1 Square,	1 day,	$ 1 00
1 "	1 week,	3 50
1 "	2 "	6 00
1 "	3 "	8 00
1 "	1 month,	10 00
1 "	2 "	15 00
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To Advertisers in Detail.

THE RATES WILL BE AS FOLLOWS:

Quarter Column	1	month,	$20 00
" "	2	"	30 00
" "	3	"	40 00
Half Column	1	"	30 00
" "	2	"	42 00
" "	3	"	50 00
One Column	1	"	50 00
" "	2	"	75 00
" "	3	"	100 00

Special Notices will be charged by the square one dollar for each insertion, for one week; and seventy-five cents for each insertion, for 1 month.

No advertisemenst inserted unless paid for in advance.

The name of no subscriber entered on our books unless paid for in advance.

No one is authorized to receive and receipt for money for subscription or other work done at this Office, except the Publisher and the Proprietor.

☞ All letters concerning business of the office must be addressed to

J. J. STEWART,
EDITOR & PUBLISHER.

LOCAL.

AN OUTRAGE.

A party of men dressed as soldiers lately visited the residence of a Mr. Adam Trexler about 8 miles from here. They demanded his specie but on his telling them he had none they badly beat him so that he died in a short time afterwards. They afterwards robbed the house. We presume that the matter will be properly investigated and the guilty parties will be punished. Mr. Trexler is well known in this county by the singular fact that he has had eight wives.

CLOSING OF THE BAR ROOMS.

By an order of Col. Packard, commanding the troops here, the bar-rooms were closed on Tuesday last. We think that a general licensing of bar rooms would be impolitic but we think it would do no harm if one or two reliable gentlemen should be permitted to retail liquors. Col. Packard is influenced however in cancelling these permissions by a prudent desire to preserve order among the soldiery.

GENERAL NEWS.

The debt of Canada is over $75,000,000.

An association to check the crime of infanticide has been formed in London.

The Siamese twins are giving exhibitions in Philadelphia.

On last week General Grant was "received" at Galena, his former home, with a great parade.

Pennsylvania contributed to the army three hundred and sixty thousand men.

The Parkersburg (West Virginia) Times says about 200 houses are in course of erection in that city.

Twenty-one decrees of divorce were rendered during the term of the Circuit Court just closed at Springfield, Ill.

Chicago has eighty-five hotels, which are clasified into eight grades, ranging from five dollars to a dollar and a half a day.

In the recent South American naval battle, the Brazillian loss was 300, and the Paraguayan, 1,800.

A peach train of forty-three cars, containing 22,000 baskets of peaches, passed through Newark, N. J., on Wednesday.

Fredrick Gross, of Dallstown, seven miles from York, Pa., committed suicide by hanging last week.

The number of visitors at the White Mountains is said to excede by one-third the number in any former season.

The President has appointed Thomas G. Simmons postmaster at Atlanta, Ga.

The police of Wheeling arrested three soldiers on duty, whereupon the officer commanding that post forcibly released them, and placed a guard over the jail.

A smart chap, who formerly peddled papers in the Army of the Potomac, is now worth $100,000, and is now one of the Directors of the Second National Bank, just established in Richmond.

It was stated at the temperance convention at Saratoga, that the names of thirteen hundred rich men's daughters in New York are on the list of applicants for admission to the Asylum for Inebriates at Binghampton, in that State.

A man by the name of Stoodard, in Cass county, Iowa, was carelessly handling, on Saturday last, a loaded gun, when it was discharged, fatally wounding a young lady by the name of Decker, who was standing near by. Stoddard and the unfortunate victim were to have been married in few days.

The anti-war democracy of Ohio held a State convention in Columbus on Thursday, and nominated for Governor, Alexander Long, & for Lt. Gov. Clinton A. White. The resolutions adopted were of a strong State sovereignty character, denied the right of the national government to compel their submission, and opposed emancipation, negro suffrage, military courts suspension of the writ of habeas corpus, a public debt, national banks and paper currency.

The celebrated thoroughbred mare Albino, recently died at Laclede course, from rupture of a blood vessel received while training. She beat Fanny Washington and Planet three and four mile heats in 1858 and 1859, and was owned by John Carey, of South Carolina. During Sherman's march she was confiscated by an officer and brought to St. Louis. At the time of the accident she was being put in order to run in the St. Louis races, also against Asteroid for the Burnett House plate in Cincinnati.

There has been a great row at Fayetteville. We did not publish it because we did not believe. All exaggerated accounts of cruelties to negroes exist only in the imagination of sensationists. The reports are now authoritatively contradicted.

The shock of an earthquake was lately felt in Mississippi and Tennessee.

The Richmond Ambulance Committee have received their pardon. Very justly for they never done anything.

MR. JEFFERSON UPON TORIES.—A strong argument in President Johnson's favor may be drawn from Mr. Jefferson's reply, to a lady who appealed to him in behalf of her son, who was a Virginia Tory during the Revolution. He wrote to her as follows:

"I suppose him to have taken sides with the British before our declaration of independence; and if this was the case, I respect the candor of the measure, though I do not his wisdom. A right to take the side which every man's conscience approves in a civil contest is too precious a right and too favorable to the preservation of liberty, not to be protected by its well-informed friends.—Randall's Life of Jefferson, vol. 1, page 430.

HD. QR'S. POST SALISBURY, N. C.
August 21st 1865.

GENERAL ORDER
No. 2.

TO preserve the peace of society and to prevent drunkenness and disorderly conduct in the town of Salisbury, it is ordered:

1 That all licenses heretofore granted to sell intoxicating or spirituous liquors, are revoked, and any sale of intoxicating liquors by *any* person, will subject the stock to confiscation and the offender to punishment.

2 Soldiers or citizens found drunk will be arrested by the Police guard and subjected to such punishment as the military authorities in the case of soldiers; and the civil authorities in the case of citizens; shall determine.

3 Under the term "spirituous liquors," are included all patent drinks, such as "Plantation Bitters" &c, and the giving away of any article that can intoxicate will be considered a sale within the meaning of this order.

The Provost Marshal and the commanding officer of the Police Guard will be vigilant in ferreting out and bringing to justice any offenders against the provisions of the above order.

By order of
JASPER PACKARD, Col.
128 Ind. Vols. Comd'g. Post.
HENRY LONG, 1st. Lieut.
and Act. Post Adjt.
Aug 24. 6td–77

$20 REWARD.

LOST A POCKET MEMORANDUM BOOK IN This place, containing some notes and several valuable papers, the payment of the notes have all been stopped, and the papers and book are of no use to any person but myself. The above reward will be paid for the delivery of the Book and papers to me.

All persons owing me notes, are notified not to pay them to any one but myself without authority from me.

W. MURPHY.
Aug. 24. 6td-pd–77

WANTED.

COPIES OF THE 'DAILEY' and 'WEEKLY' "CAROLINA WATCHMAN," bearing dates From the 1st to the 12th of April, 1865. Send them to the "BANNER" Office, and oblige,

J. J. BRUNER.
Aug. 24. 3t–77

THE WEEKLY BANNER.

A GREAT FAMILY NEWSPAPAR!

J. J. STEWART, EDITOR AND PUBLISHER.

JOURNAL OF THE *LATEST NEWS*, Politics, Literature, Markets, Revenue and other Reports.

The Great Paper of Middle North Carolina,

Will be published on Monday of every week.

The BANNER will contain more reading matter than any other Paper in the State, and shall be thoroughly devoted to the interest of our whole people. We desire to circulate it extensively in Western North Carolina, and would earnestly request our friends to aid us in procuring subscribers.

TERMS—Single copy one year, - $3,00
Six Months, - - - - - - - - 2,00
One Month, - - - - - - - - 50

Payments in *advance*. Address
J. J. STEWART,
Banner Office,
Salisbury, N. C.

William H. Bailey,

Attorney and Counsellor at Law and Solicitor in Chancery.

OFFERS his professional services to the public. Claims against the Government—adjustment of confiscations—settlement of contracts and collection of debts will receive prompt attention.

OFFICE—4th door of brick row, opposite Court House. Office hours 9 a. m., to 1 p. m., 3 to 6 p. m. He also proposes to establish a

Law School in Salisbury, N. C.

Having had about thirteen years experience as a Law Teacher; he proposes to prepare young gentlemen for the bar.

Real Estate Agency.

The undersigned wil give his attention, if desired to the purchase and sale of real estate.

W. H. BAILEY.
OFFICE—Register room in the Court House.
Salisbury, 22, 1865. tf-76

STRAYED

ON Monday evening, a bay horse about 15½ hands high, small white speck in face, splint on right fore leg.

Any one returning said horse to me or giving information at Henderson & Schafer's Drug Store, leading to recovery, will be amply rewarded.

C. W. PEARSON.
Salisbury, Aug. 23, 1865. 6td-76

MULES, HORSES WAGONS AND AMBULANCES FOR SALE.

I HAVE a fine lot of the above which I will sell or exchange for cotton, wheat and corn.

W. G. McNEELY.
Near McNeely's Mill.
[w1t.d1 w 74

PRESBYTERIAL NOTICE.

SALISBURY, N. C,
August 16th 1865.

THE PRESBYTERY OF CONCORD, will hold its next regular meeting in Statesville, N. C. Commencing, the 13th of September next, at 11 o'clock A. M.

J. RUMPLE, *Stated Clerk.*
[tf–72]

WANTED.

100 *BUSHEL IRISH POTATOES*

TO BE SENT IN BAGS OR BARRELS and delivered to me here.

DAVID WHITAKER.
Howerton House.
Aug. 18, 4t—72

BOUGHTON WHEAT.

FARMERS desiring this wheat for seed will apply at once, or leave the money and sacks with Messrs. Crawford and Laurens, where a sample can be seen. Price $4 per bushel.

JOHN WASHINGTON
Salisbury, Aug. 18. 2wd–73–2tw–1
Charlotte Democrat two insertions, and send bill to this Office.

DENTISTRY.

H. L. Coleman D. D. S.

(Successor to Dr. W. F. Bason,)

RESPECTFULLY OFFERS HIS PROFESsional Services to the citizens of Salisbury and vicinity.

Dr. C. feels assured with the experience of fourteen (14) years practice he can give general satisfaction. He can be found at his office, formerly occupied by Dr W. F. Bason, at all hours.

When money cannot be paid for operations on the teeth, provisions will be received, such as bacon, lard, no. 1 flour, chickens, butter, eggs, &c., at market prices. my30tf

WALTON HOUSE,

MORGANTON, N. C.

THE UNDERSIGNED HAVING LEASED the above Hotel for a number of years, are now refitting it and puting it in good order for the accommodation of the public, and those who wish to visit Morganton and enjoy the fresh Mountain breeze, will find at the Walton House a good, comfortable Room and the best furnished table in the State.

HUNT & WALTON.
August 7th, 1865. 3mo-62.

SWEPSON, MENDENHALL, & CO.,

GENERAL

Commission Merchants,

FOR THE SALE OF

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T. J. SUMNER, Company Shops, N. C.
Robert R. Swepson, Sam'l. G. Murphy, New York City.
Cyrus P. Mendenhall, President Farmer's Bank, Greensboro N. C.
Dan'l. Worth, Company Shops, N. C.
Geo. W. Swepson, Haw River, N. C. july 5-d6m

SOUTHERN BOOKS.

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PUBLISHERRS,

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GREENSBORO, N. C.,

CONTINUE TO PUBLISH "OUR OWN" SERIE of School Books, consisting of Primers, Spelling Books, Readers, Arithmetics and English Grammer also Bingham's Latin Grammer and Cæsar. We offer our Books to Teachers and Booksellers on as moderate terms as are offered by publishers in any part of the United States.

☞ For specimen copies or lists of prices adderess as above.

Aug. 10th 65—3mo.

Home Intelligence Office.

IN ORDER to meet a want in the community at large, the undersigned has opened an office to assist persons in procuring good servants, and servants in procuring good homes, for the present or ensuing year. Those wishing employment will find it greatly to their interest to call and have their names registered, with certificates of recommendation.

Office 4th door in Brick Row opposite the Court House.

Office hours, 8 to 12 A. M., 2 to 5 P. M.

A. JUDSON MASON.

For reference—Jas. H Enniss, Mayor; Dr. Wm. H. Howerton. tfd76–tfw2

Good News! Good News!!

WHOLESALE & RETAIL

McNEELY, YOUNG & CO.

ARE at their old stand Jenkin's corner, Old times have come again, and they would invite City and Country Merchants to call and examine their stock of

Dry Goods, Clothing, Hats and Caps,

and a large and general variety of GOODS of every kind and description.

We receive from the Northern Markets the latest styles of goods

WEEKLY BY EXPRESS.

☞ PRODUCE taken in exchange for goods at market prices.

McNEELY, YOUNG & CO.
3wd70 Jenkin's Corner.

THE UNION BANNER

SALISBURY, N. C., AUGUST 24, 1865.

J. J. STEWART. EDITOR

Qualifications for Voters.

The qualification for voters are that a paroled men of the Confederate army and navy, under and including the rank of Colonel, in the one and under and including the rank of Lieutenant in the other, shall be permitted to vote, provided they are not included in any of the fourteeen excluded classes in the President's Amnesty Proclamation; also, that they exhibit to the Inspectors a copy of the Amnesty oath signed by himself, and certified to by at least two justices of the Peace, and furthermore that they be citizens, as required by the laws in force preceeding May 20th, 1861, except that the payment of a poll tax shall not be required.

Important Correspondence.

We give our entire space to the subjoined correspondence. It shows the feelings of Governor Holden in regard to the establishment of civil law in the State, which every good man and true will look upon as auspicious for the present and future of our State.

STATE OF N. CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, N. C., July 27, 1865.

Brevt. Maj. Gen. RUGER,
Commanding Post at Raleigh

SIR:—Information has reached this department that three citizens of the County of Person, State of North-Carolina, have been arrested and sent to this post for trial by a military court upon the charge of an assault made by them upon the body of a freedman named Currie.

I beg leave to call your attention to the fact that civil law has been organized in the County of Person, and an eminent and upright Judge appointed to hold a court of Oyer and Terminer in said County, and that said appointment was made prior to the commission of the alleged offence.

This is a matter in which I conceive the civil courts have sole and exclusive jurisdiction, and I have every confidence that strict and impartial justice will be administered; and, therefore, respectfully suggest that the parties be remanded to the county of Person for trial by the civil tribunals of the State. This course, in my judgment, will avoid any unpleasant conflict between the civil and military authorities, and at the same time ensure impartial justice in the matter.

The parties under arrest are T. A. Woody, H. Carver and S. C. Barnett.

I am, Gen'l, very respectfully,
Your obt. servant,
(Signed) W. W. HOLDEN.

HEADQ'RS DEP'T. OF NORTH CAROLINA,
RALEIGH, N. C., Aug. 1, 1865.

His Excellency W. W. HOLDEN,
Governor of North Carolina:

SIR:—I have the honor to acknowledge the receipt of your communication of the 27th of July, requesting that three citizens of the County of Person, State of North-Carolina, now held for trial before a military commission, under charge of an assault made by them upon the person of a freedman named Currie "be remanded to the County of Person for trial by the civil tribunal of the State," I regret that after full consideration of the matter, it appears to me inexpedient to comply with your request.

The reasons influencing me are briefly as follows:

In your communication occurs the following: "This is a matter in which I conceive the Civil Courts have sole and exclusive jurisdiction." Without considering the question as to whether civil law is so far operative as to give civil courts jurisdiction of the case in question, it seems clear to me, that without doubt, military tribunals have jurisdiction in all that relates to the preservation of order including the trial and punishment of those guilty of acts of violence. One of the important duties of the military authorities during the interim, prior to the complete restoration and full operation of civil law, I understand to be the maintenance of good order and protection of society from acts of violence, and this duty must necessarily carry with it the power of its fulfillment. It would not, under existing circumstances, as I believe, be the duty of the military authorities to await in case of the disturbance of the peace, or not amounting to hostile act to the government, the call of the civil authorities before interposing for the preservation of order, but that they would be in duty bound to summarily quell such disturbance and bring the guilty to punishment. Neither do I believe that the military authorities would be bound to obey writs of *habeas corpus* issued by the State Courts. At the time of the arrest of the citizens before referred to, no civil court had taken cognizance of the matter.

Magistrates were some time since appointed by your Excellency, and have been acting in the various Counties of the State, yet in no instance have I heard or known of official notice having been taken by any of them of acts of unlawful violence towards freedmen, although such acts have been by no means unfrequent in the different sections of this State.

Of late, several cases of homicide of freedmen by whites have been brought to my knowledge, but in no case, so far as I have learned, was any arrest made by the magistrates or civil officers, and no attempt had for investigation. From my own observation and information obtained from the Commissioner of Freedmen, I am of the opinion that acts of unlawful violence towards the freedmen are becoming more frequent. The first effect on the mind of the people of the dispersion of the rebel forces, and the occupation of the country by our troops, is, in a measure, wearing off, and the apparent apathy and stupor resulting from the changed condition of things, is replaced in the minds of those who give up slavery with reluctance by feelings of hostility to the freedmen. Under all the circumstances, I think that the restraining influence of prompt trial and punishment of offenders, particularly those guilty of homicide, by Military Commission, is the only adequate remedy for the existing evil. The action of Grand Juries would not, I fear under the condition of things now existing in the State, correct the evil.

There are at present, several citizens charged with homicide, held for trial by Military Commission at different places in the State. In all cases of importance, the proceedings will be forwarded to Washington for final review and orders. If it shall appear expedient to you to refer this matter to his Excellency the President, I respectfully request that a copy of your communication, to which this is an answer, and also this my reply may be sent, that my motives and the reason of my action in the matter may clearly appear. I regret that we entertain different views of the subject.

Very respectfully,
Your obedient servant,
THOS. H. RUGER.
Brev't Maj. Gen. U. S. Vols. Comd'g.

STATE OF NORTH CAROLINA.
EXECUTIVE DEPARTMENT,
RALEIGH, N. C., Aug. 8th, 1865.

Brev. Maj. Gen. T. H. Ruger:

SIR:—Your letter of the 1st instant, acknowledging the receipt of mine of the 27th ult., which requested that three citizens of the county of Person in this State, now held for trial before a military commission under a charge of an assult made by them upon the person of a freedman named Currie, "be remanded to the County of Person for trial by the civil tribunals of the State," has been received. In the outset you announce your conclusion that "after full consideration of the matter, it appears to me inexpedient to comply with your request."

You proceed then to mention the reason which influence you to decline the request; premising that "without considering the question as to whether the civil law is so far operative as to give civil courts jurisdictioh of the case in question, it seems clear to me that, without doubt, military tribunals have jurisdiction in all that relates to the preservation of order, including the trial and punishment of those guilty of acts of violence." It is but a just inference from this paragraph of your letter that you deny the existence of any civil law in the State; or, if there be, you insist that its execution rests solely in the military. For I cannot suppose that it was your purpose to maintain that, if the civil courts have jurisdiction, the military may take cognizance also. So much confusion and conflict would of course arise from such concurrent jurisdiction, that the remedies for violences would probably as much annoy the public as the toleration of them. If such be the character of civil and military jurisdictions, what shall prevent tribunals of each from taking its turn in punishing an offender, especially when the second tribunal shall be of opinion that the first has acted partially and without a proper regard to an upright sense of justice? This would not be improbable, certainly with the military court, if, (as you suggest there is,) there should be a palpable want of impartiality in the civil authorities where cases of freedmen are concerned. Again, the modes of trial are very unlike; the manner and measure of punishment after conviction so different; the denial by one court and its allowance by the other, of bail to the party arrested, and last and not least, the trial of the accused by the court at any place where it may happen to sit, however distant from the venue of crime, and by the other, in the county wherein the offence is alleged to be done.

The jurisdiction of the military courts, you insist, extends to all cases involving "the trial and punishment of those guilty of acts of violence." If its extent is truly so unlimited, there can be little room left for the exercise of any criminal jurisdiction by the civil courts; and the creation of civil peace officers and courts through the President is a superfluity. In the proclamation of the Provisional Governor of the States, dated 12th of June last, which was fully approved by the President before it was published, it is declared that "inasmuch as there are no civil magistrates in this State, nor State officers of any kind, the Provisional Governor, by virtue of authority in him vested by the President of the United States, will proceed: 1st, To appoint Justices of the Peace for the various counties, loyal men, by whom the above oath will be administered, and who will also conduct the elections, through subordinates, for members of a Convention, in accordance with instructions from this office, and agreeably to the laws of this State in force previously to the 20th day of May, 1861. 2d, Superior Courts of Oyer and Terminer will be held, when necessary, by Judges especially appointed and commissioned, to dispose of criminal cases. 3d. The Justices of the Peace, appointed as aforesaid, will be authorized to hold courts for the transaction of all such business as may not be of the class of cases triable by a jury. The Justices, by a majority of their whole number, will also be authorised to appoint their sheriffs and their clerks for the time being, and such other officers as may be indispensable to a proper transaction of business. And they will also be vigilant and will exert themselves to maintain the laws and promote the peace of society in their respective counties; and especially to arrest and commit for trial, when the courts may be held, all offenders against any law of the State in force previous to the 20th day of May, 1861; and to allow bail where the case is bailable, according to usage of the State.

I deemed myself to have been but the organ of the President when I put forth the proclamation containing these clauses. And I submit that it was but a reasonable inference on my part that he intended to aid the anticipated restoration of civil law, when, by his proclamation of May 29th preceding, he directed, "First, that the military commander of the department, and all officers and persons in the military and naval service, aid and assist the said Provisional Governor in carrying into effect this proclamation: and they are enjoined to abstain from, in any way hindering, impeding or discouraging the loyal people from organization of a State government as herein authorized." Now I most respectfully inquire to what end and what object is the Governor clothed with the power to appoint Judges, unless it be in the language of his proclamation "to dispose of criminal cases?" Likewise, for what object are Justice of the Peace instructed to be vigilant, and to exert themselves to maintain the peace of society in their respective counties, and to arrest and commit for trial when the court may be held, all offenders against any law of the State in force previous to the 20th day of May, 1861, and to allow bail where the case is bailable according to the usage of the State?

At the time of issuing this proclamation it was held that there was no civil officer of the State, and the obvious intent was to create State officers. It was the manifest purpose of this proclamation to restore to life so much of the civil law, which affected and concerned the peace and security of society, as might be consistent with the military occupation of the State; that occupation was for the sole purpose of subduing the rebellion and preventing insurrectionary and seditious movements. To the accomplishment of these objects the military law, it seems to me, was designed to extend, and no further. The trust of correcting all disturbances of the peace among the citizens not treasonable or seditious, was committed by the President to such courts and officers as might be appointed by the Governor. I can well see the high necessity of the military law, taking cognizance of all such matters, as might affect the interest of the United States; but I do not feel the force of the argument, which maintains that of two citizens, freedmen, or freemen, upon hot words, make an affray, the military interests of the United States are so concerned as to require that the trial of such an act of violence should be transferred from the civil courts to courts martial.

Recurring to General Orders, No. 100, of the Department of War, dated April 24th, 1863, entitled "Instructions for the government of armies of the United States in the field," I see nothing which impugns my views herein expressed. In that order it is declared that "the presence of a hostile army proclaims its martial law."—Sec. 1, par. 1. "Martial law does not cease during the hostile occupation, except by special proclamation, ordered by the Commander-in-Chief."—Sec. 1, par. 2. And again "the commander of the forces may proclaim that the administration of all civil and penal laws shall continue either wholly or in part, as in times of peace, unless otherwise ordered by the military." Sec. 1, par. 3.

In what light can I regard the proclamation of the 12th of June, substantial to and approved by the President but as virtually his own proclamation? In this light I have regarded it.

In vindication of the jurisdiction assumed by you over the three citizens of Person County, you inform me that at the time of "the arrest no civil court had taken cognizance." The proclamation of the 12th June contemplates several means to preserve the peace and vindicate its violation: First, for its preservation many Justices are appointed for each County, who are instructed as well by their oathes as by the proclamation, to arrest and commit for trial, when the courts may be held, all offenders against the law of the State in force prior to the 20th May, 1861, and to allow bail, &c. These Justices are not empowered to hold any courts of criminal jurisdiction, but only to arrest and hold for trial, when the courts shall be held.—The trial court is not called into actual organization until the crime is committed, and if it is of a grave character the court will be convened to try the case so soon as the Governor shall be notified of it. If the cases are trifling or not requiring speedy trial the offenders will be confined in jail or put under suitable recognizance for their appearance when the due administration of justice shall, in the Governor's opinion, require it. He is himself the great conservator of the peace of the State. Now, inasmuch as by the custom of the State, which I believe to be universal among the people, the trial of offenses must take place in the counties or districts in which they are committed, it is impossible, without great expense, to keep a court always in session in every locality where a crime may be probably committed. Before a grand jury can set or bill of indictment be found a Judge must be commissioned to hold the court. This delay in bringing offenders to trial, you seem to regard as highly objectionable. The answer is, that such delays are incident to the mode of trial by the civil law, and have been tolerated for ages notwithstanding, and the trial by the court of Oyer and Terminer, may be, and generally is, speedier than the trial in the regular course of a fixed judicial system as practiced in the State before the rebellion. It has been my fixed purpose to call a court of Oyer and Terminer whenever cases should occur requiring them. My determination has been to have justice administered as nearly as practicable, after the ancient, long tried and approved mode used in the State. Our Superior Courts which have exclusive jurisdiction of high crimes sit but twice in the year; yet we have not found that that delay was any source of demoralization among the people of the State.

It is true that I have called but one court. In the late case of Mr. Nicholson I should have called one, but you and I both concluded that the case was a proper one for the civil courts. I have heard of no case of homicide, either of a freed-

man or freeman, where I was not prepared to issue a commission to try it, if the military had forborne to anticipate me. I have now appointed several Judges to hold such courts when needed, if they may be allowed to do so. I regretted to read that portion of your letter in which you say, "from my own observation and information obtained from the commissioner of freedmen, I am of opinion that acts of unlawful violence towards the freedmen are becoming more frequent. The first effect on the mind of the people of the dispersion of the rebel forces and the occupation of the country by our troops is, in a measure, wearing off, and the apparent apathy and stupor resulting from the changed condition of things is replaced in the minds of those who give up slavery with reluctance, by feelings of hostility to the freedmen. Under all the circumstances I think that the restraining influence of prompt trial and punishment of offenders, particularly those guilty of homicide, by military commissions, is the only adequate remedy for the existing evil. The action of grand juries would not, I fear, under the condition of things now existing in the State correct the evil."

The State previous to the rebellion, had within its limits many free citizens of color, who have ever been entitled as the freedmen now are, to the same mode of trial by jury as were the whites. And whites have frequently suffered death for outrages, not only upon them, but upon slaves. The State in my judgment, has no cause to blush for its administration of the law, heretofore, where the free person of color was concerned, I am a sincere lover of its reputation, and would deeply lament to see its sworn tribunals of justice oppress, in administering the laws, the weaker race of its inhabitants. I cannot, therefore, sympathize with you in your alarm for the security of the freedmen, when placed under the protection of the civil laws and courts of the State. I should do injustice to as honest a people as exist any where, if, after my long observation of their disposition, to administer justice fairly to persons of every color, I should, by silence even, seem to concur with you in your opinion, that trial by military commission is the only adequate remedy for restraining wrongs to the freedmen, or should appear to share with your estimate of those great civil palladiums of the liberties of freedmen—the grand and petit juries of the country.

It is very natural for men of generous feelings to listen with interest and favor to the recital of wrongs by one whom they regard as oppressed, and I hope that it is not ill timed in this communication to suggest that in all probability the commissioner of freedmen hears only the complaining party, he may, and doubtless does, hear and trust what is greatly exaggerated. It is a general vice of all prosecutors to exaggerate, and experience alone can correct its effects on even the best of men. The case of the freedman, Currie, forcibly illustrates this.—He had scarcely arrived in this place and told this tale, before he was apprehended under a warrant for an assault on one or more of the very persons of whom he complained. In my proclamation of June, I specially addressed the freedmen, and proclaimed to them that they were now free; that they were free in common with all the people; that they have the same rights regulated by law, which others had to enter upon the pursuit of prosperity and happiness; and that they were protected in their persons and property.

I shall, so far as lies in my power, guarantee to the race all these rights and privileges and benefits; and I have confidence that they will be protected by the laws of the land and the courts of justice.

In conclusion, sir, allow me to hope that your views, as expressed in your letter to which this is a reply, may be so modified as that you may see with me the propriety and necessity of allowing the civil tribunals to exercise jurisdiction in all cases affecting the peace of society, without regard to the color or the condition of the offenders. I am very solicitous, as I feel you are, that the civil and military powers in this State may go forward together in a friendly spirit, neither interfering with, or encroaching upon the proper functions of the other; that no collision may occur between them; but that, acting together for the common good, they may succeed at an early day in securing to our people the benefits and blessings, which flow from a permanent government and a united country.

I deem it my duty to lay before the President our disagreement; and shall forward to him a copy of this letter, and, as you request, a copy of yours with my previous note of the 27th July.

I have the honor to be, sir,
Very respectfully, your ob't serv't,
W. W. HOLDEN,
Prov'l Governor.

The foregoing is a true copy of a letter from Gov. Holden to Brev. Maj. Gen. Ruger, commanding Department of N. Carolina.

TOD R. CALDWELL,
Aid to Gov. Holden.

H'D QR'S DEPT. OF NORTH CAROLINA,
(ARMY OF THE POTOMAC,)
RALEIGH, N. C., August 11th, 1865.

His Excellency W. W. Holden,
Governor of North Carolina:

SIR:—I have the honor to acknowledge the receipt of your letter of the —— inst., in reply to mine of the 1st, touching the subject of jurisdiction of military tribunals in this State. As you express your intention to lay the matter before His Excellency the President, it would seem that, in view of the probable and speedy and authoritative disposition of the question, further discussion by me would have no material influence on the result.

But in your communication some things are said from which I infer that inferences were drawn by yourself my opinioxs on some matters not intended by me. In relation to such matters, I wish to state my views. In the first portion of your letter, after quoting from mine of the 1st inst., you say: "It is but a just inference from this paragraph of your letter, that you deny the existence of any civil law in the State, or if there be, its execution rests solely with the military." This inference you support by the supposition that, owing to the confusion and conflict that might grow out of concurrent jurisdiction between civil and military courts, it cannot be supposed that it was my purpose to maintain, "that if the civil courts have jurisdiction, the military courts may take cognizance also." I did not intend to maintain either that or the contrary, nor did I intend either to affirm or deny the existence of civil law in the State, but only to maintain that the military tribunal had jurisdiction of the entire subject of the preservation of order. It was intended as in reply to that part of your letter of June 27th, expressive of your conviction that the civil courts had sole and exclusive jurisdiction of the case in question. On the surrender of the rebel forces, and the occupancy of the country by the forces of the U. States, there undoubtedly was, by the condition of things, martial law, and none other, in the State of North Carolina. Such law as it appears to me now exists, except in so far as modified or restrained by the proclamation of His Excellency the President of the United States, of date of June 13th, 1865. Said proclamation does not, it appears to me, in any manner take away the power previously held by the military authority to try citizens for acts of violence amounting to a breach of the peace. I, of course, did not know that your proclamation of June 12th last, was previously to its publication submitted to the President. But on the supposition that it is expressive of the President's will, I do not know that it is a necessary inference, that because it provides for the holding of civil courts of criminal jurisdiction, that military courts cease by that fact, to have jurisdiction of any matters that might be brought before civil courts. If this were so, it would be impossible for the military authorities to execute and punish the violation of orders issued by the Department Commander, which have not been countermanded by superior authority, and also orders issued by the War Department and Superintendent of Freedmen, and approved by the President himself.

You say, "I deeply regretted to read that portion of your letter in which you say, 'From my own observation and information obtained from the Commissioner of Freedmen, &c.' It was not intended by me thereby to express any doubts as to the virtue of the people of North Carolina, nor any want of confidence in the Juries composed of the citizens of the State. I know of nothing to cause distrust of the well known reputation of the people, as law-abiding and honest, and of the courts of law as impartial in the administration of justice. The thought which caused me to write that portion of my letter quoted by you, and which is still my opinion, is, that in the condition of things at present existing, the result of the war, and not of the free action of the people, the action of the civil courts and grand juries, however honest would not prevent the recurrence of frequent acts of violence, particularly towards Freedmen, during the time intervening between the complete restoration of civil law. Military law, is, I think, a necessity in the transition state in which the States lately hostile to the Government now are. I think you are in error in the opinion to be inferred from that portion of your letter in which you say, "That as in all probability the Commissioners of the Freedmen hear only the complaining party.' Such action by the officers of the Freedmen's Bureau would be in violation of their instructions. I have myself cautioned the Assistant Commissioners of the necessity of getting at the truth in all cases. There has been no complaint made of the action of the officers of that Department, and I think that their conduct has been discreet.

Permit me in conclusion, to say, I think there can be no real conflict between the civil and military authorities in the State. This question of difference between us, has come up whilst I have been temporarily in command of the Department, and my action in the matter is founded on what I conceive to be the rights of the case. I have none but feelings of kindness to towards the civil officers and people of the State of North Corolina.

I am, sir, very respectfully,
Your obedient servant,
THOS. H. RUGER,
Brv't Maj. Gen. Comd'g.

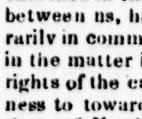
STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, N. C. Aug. 18, 1865.

To ANDREW JOHNSON,
President of the United States:

SIR:—I am directed by his Excellency, Gov. Holden, to transmit to you the accompanying correspondence between himself and Brev. Maj. Gen. Ruger, commanding the Department of N. Carolina.

The Governor begs you to give the subject matter a careful examination, and if you concur with him in opinion, to cause the administration of justice in N. Carolina to be turned over exclusively to the civil authorities of the State.

I have the honor to be, sir,
Your obedient servant,
TOD R. CALDWELL,
Aid to Gov. Holden.



DR. R. P. BESSENT.

IS NOW AT THE BOYDEN HOUSE, WHERE he will remain for a short time. Room No. 23.
Salisbury, Aug. 22, 1865. tf-76

Webster's Spelling Books

FOR SALE AT THE BANNER PRINTING Office. Also, our own series—Spellers, Readers, Grammers, Arithmetics, &c., &c.
tf-75

"MAJOR TURNER'S NEW STORE."

JUST ARRIVED.

TO DAY I open for sale a large and choice variety of

Hardware,
Cutlery,
Crockery, &c.

THOSE wishing Pitchers, Cups and Saucers, Glass Ware and hardware, would do well to call. I have also a general assortment of ladie's and gentleman's wearing apparel.

Dry Goods,
Hats and Caps,
Shoes and Gaiters,
Handkerchiefs,
Gloves,
Linens,
Domestics,

And other articles for use and ornament. They were all selected by my-self, from the first market of the East.

J. C. TURNER,
Cowan's Brick Row Main St.
August 8 1865. tf-63

SCHOOL BOOKS.

THE Greensborough series of School Books, embracing Primers, Spelling Books, First, Second and Third Readers, Primary and School Arithmetics, Primary Grammar, Latin Grammar, &c, ☞ for sale at the "BANNER" Printing Office,

These books have received the hearty approval and adoption of the ablest and most successful Teachers in this State and have the additional commendation of being works of *home production* But independent of that, they are truly meritorious, and therefore deserve extensive patronage.

Salisbury, Aug. 12. tf-69

NEW FANCY STORE

Main Street next to the

HOWERTON HOUSE.

MRS J. CARNCROSS, announces to the ladies and Public of Salisbury that she has opened a store as above, containing an assortment of Millinery and other goods Parasols, Hats, Capes, Buttons, trimmings, head dresses &c., of the latest styles and fashions. 32 tf

CHANGE OF TIME.

COMPANY SHOPS,
August 10th 1865.

ON AND AFTER 6 25 p. m. Sunday August 13th 1865. Trains will run until further orders as follows:

MAIL	GOING WEST	ACCOMODATION.
Leave Raleigh	7 40 p. m	Leave Raleigh 6.00 a. m.
" Gre'nsb'ro	2.17 a m	" Gre'nsb'ro 12.50 p m
" Salisbury	6 45 "	" Salisbury 5.00. "
Arrive Charlotte	10.10 "	Arrive Charlotte 7.00. "
	GOING EAST.	
Leave Charlotte	3.00 p m	Leave Charlotte 5 25 a m
" Salisbury	6 25 "	" Salisbury 9,00 "
" Gre'nsb'ro	10 15 "	" Gre'nsb'ro 1.05 p m
Arrive Raleigh	4.30 a m	Arrive Raleigh 7.30 "

Mail Train connects East and West with the Raleigh and Gaston Train for Petersburg and the North, and with the U. S. Military Railroad for Goldesboro, Newbern, Morehead City and Wilmington.

Freight Train leaves Raleigh at 11.00 a. m. Charlotte 6.00 a. m stopping at Shops over night.

The mail Train only will run on Sunday. Passengers are notified to procure tickets, before entering the Train as additional fare will be collected.

E. WILKES,
Eng. & Sup't.

(tf-67)

Land For Sale.

I OFFER for sale my Farm known as "the Graham place," located in Rowan Co, on Third Creek some 3½ miles from Third Creek Depot, containing 660 acres

This farm has an abundance of timber and woodland, is well watered, having thereon four good springs, and easily devisable into two Farms, as it formerly was. It has about 60 or 75 acres of rich bottom land, all of which will make productive meadow or grass land—also several orchards. Its improvements consists of two dwelling houses and the usual farm buildings.

JOHN WASHINGTON.
Salisbury, N. C.

[tfw-1]

PUBLIC SALE

OF

CONDEMNED GOV'T. STORES

AT

AUCTION.

ON TUESDAY morning the 22d inst I will expose at Public Sale at my Warehouse,

Thirty-four Hundred Pounds Hard Bread.

Sale to take place at 11 o'clock. Terms Cash.

J. F. HUBER,
Capt. & C. S.
Salisbury, Aug. 17, 1865. 4t-72

CONCORD FEMALE COLLEGE.

THE EXERCISES OF THIS Institution will be resumed on the first Monday of September.

THE PRICE of BOARD will be $15,00 per month. The price of Tuition will be at the rate of $30,00 per Session of 20 week.

Extra charges will be made for Music, French and Drawing.

Each boarder will furnish her own lights and towels, and, also, a pair of sheets and pillow cases. The greatest possible indulgence will be given to patrons.

Address J. M. M. CALDWELL.
Statesville, N. C
Salisbury July 24, pd—1m-61

MICHAEL BROWN

COMMISSION MERCHANT

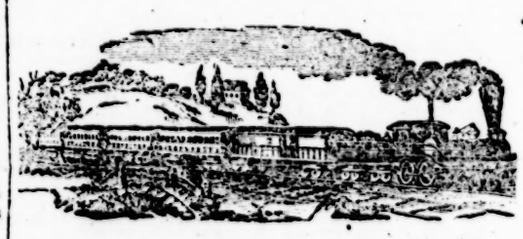
AND

Dealer In Merchandise.

WOULD inform his friends and the public, that he is now receiving the following articles, which will be sold low for cash, or exchanged for produce.

Spun Cotton assorted, No. 8, 9, 10, 11 & 12.
Brown and Bleached shirting.
Calicoes.
Linen, silk, & Cotton Handkerchiefs.
Shoes, Ladie's & Gents.
Hosiery,
Hats Black & Drab.
Suspenders.
Irish Linen,
Shirt Collars & Bosoms.
Coats Spool Thread
Flax do.
Buttons assorted.
Hoop Skirts.
Black Braid.
Iron.
Nails.
Tobacco, Snuff & Cigars.
Flour in Barrels & Sacks &c. &c.

Salisbury, July 25, 1865. ly-63—



WESTERN NORTH CAROLINA R. R.,

STATESVILLE, N. C., July 28, 1865.

THE Annual Meeting of the Stockholders of the Western North Carolina Railroad Company will be held in the town of Newton, on Thursday the 31st day of August next

All Stockholders, unless belonging to the "excepted classes," who take the amnesty oath required by the President of the United States, can vote and take part in the meeting. R. F. SIMONTON,
Secretary and Treasury.

July 31, 1865–20t-63

HOPKINS & CO.,

HOPKINS, HULL & ATCHISON,
Importers and Dealers In
Foreign and Domestic

DRY GOODS,

NO. 258 BALTIMORE St.

Oposite Hanover St.

Baltimore.

ASK their old friends and Merchants generally to call and examine their stock.

July 9, 1865. 1mpd-64

Bacon and Corn Wanted.

I WISH to purchase at once a large amount of Bacon and Corn for the North Carolina R. R. Company, for which I will pay the highest market price in *Cash.*

Apply to me, or in my absence to McCubbins, Foster & Co.

THOS. J. FOSTER
Purchasing Agent.
Salisbury, August 19, 1865. 1m-65

The Daily Raleigh Progress

FOR sale at the POST OFFICE, by
MOSES A. SMITH
Salisbury, July 1, 1865 tf-42

STILES KENNEDY, M. D.

OFFICE NO. 5, MANSION HOUSE,
SALISBURY NORTH CAROLINA.
June 15, 1865.

A PROCLAMATION BY
WILLIAM W. HOLDEN,
PROVISIONAL GOVERNOR,
To the People of North Carolina.

In pursuance of power vested in me by ANDREW JOHNSON, President of the United States, by his Proclamation of May 29th, 1865, appointing a Provisional Governor of North Carolina, under the fourth article of the Constitution of the United States, which guarantees to every State in the Union a republican form of government; and in order to enable the loyal people of said State to organize a State Government, whereby justice may be established, domestic tranquility restored, and loyal citizens protected in all their rights of life, liberty, and property; and in order, also, that said State may be restored to its Constitutional relations to the Federal Government, by presenting such a republican form of government as will entitle the State to the guarantee of the United States against invasion, insurrection and domestic violence, I, WM. W. HOLDEN, Provisional Governor as aforesaid do hereby proclaim that an election will be held in said State, on Thursday, the 21st day of September, 1865, for a Convention, to be composed of one hundred and twenty delegates, to be chosen as follows:

The county of Alamance will choose two members.

The county of Alexander will choose one member.

The counties of Ashe and Alleghany will choose one member.

The county of Anson will choose two members.

The county of Beaufort will choose two members.

The county of Bertie will choose two members.

The county of Bladen will choose one member.

The county of Brunswick will choose one member.

The county of Buncombe will choose one member.

The county of Burke will choose one member.

The county of Cabarrus will choose one member.

The county of Caldwell will choose one member.

The county of Camden will choose one member.

The county of Carteret will choose one member.

The county of Caswell will choose two members.

The county of Catawba will choose one member.

The county of Chatham will choose three members.

The counties of Cherokee and Clay will choose one member.

The county of Chowan will choose one member.

The county of Cleveland will choose two members.

The county of Columbus will choose one member.

The county of Craven will choose two members.

The counties of Cumberland and Harnett will choose three members.

The county of Currituck will choose one member.

The county of Davidson will choose two members.

The county of Davie will choose one member.

The county of Duplin will choose two members.

The counties of Edgecombe and Wilson will choose two members.

The county of Forsythe will choose two members.

The county of Franklin will choose one member.

The county of Gaston will choose one member.

The county of Gates will choose one member.

The county of Granville will choose three members.

The county of Greene will choose one member.

The county of Guilford will choose three members.

The county of Halifax will choose two members.

The county of Haywood will choose one member.

The counties of Henderson and Transylvania will choose one member.

The county of Hertford will choose one member.

The county of Hyde will choose one member.

The county of Iredell will choose two members.

The county of Jackson will choose one member.

The county of Johnston will choose two members.

The county of Jones will choose one member.

The county of Lenoir will choose one member.

The county of Lincoln will choose one member.

The county of Macon will choose one member.

The county of Madison will choose one member.

The county of Martin will choose one member.

The county of McDowell will choose one member.

The county of Mecklenburg will choose two members.

The county of Montgomery will choose one member.

The county of Moore will choose one member.

The county of Nash will choose one member.

The county of New Hanover will choose two members.

The county of Northampton will choose two members.

The county of Onslow will choose one member.

The county of Orange will choose two members.

The county of Pasquotank will choose one member.

The county of Perquimans will choose one member.

The county of Person will choose one member.

The county of Pitt will choose two members.

The county of Randolph will choose two members.

The county of Richmond will choose one member.

The county of Robeson will choose two members.

The county of Rockingham will choose two members.

The county of Rowan will choose two members.

The counties of Rutherford and Polk will choose two members.

The county of Sampson will choose two members.

The county of Stanly will choose one member.

The county of Stokes will choose one member.

The county of Surry will choose one member.

The county of Tyrrell will choose one member.

The county of Union will choose one member.

The county of Wake will choose three members.

The county of Warren will choose two members.

The county of Washington will choose one member.

The county of Watauga will choose one member.

The county of Wayne will choose two members.

The county of Wilkes will choose two members.

The county of Yadkin will choose one member.

The counties of Yancey and Mitchell will choose one member.

The Clerks and Sheriffs of the respective counties will proceed at once to assemble the Justices of the Peace, a majority of whom will select from their number not less than six nor more than eighteen Justices, men of intelligence, discretion firmness, and approved loyalty, whose duty it shall be to administer to those who may be entitled to receive it, the oath contained in the President's Amnesty Proclamation of May 29th, 1865, under such instruction as may be prescribed in this Proclamation. The Justices shall, at the same time, appoint Inspectors of the elections at the various precincts in their respective counties, in accordance with the law in relation there to, Chapter 52, Revised Code of North Carolina. The election for members of the Convention shall be conducted in the same manner as elections for members of the House of Commons, in accordance with the provisions of Chapter 52, Revised Code, so far as said provisions may be applicable; and the officers appointed to hold said elections, and to make returns thereof, shall be liable to the same penalties for failure to act, or for neglect of duty, as are prescribed in Chapter 52 Revised Code.

No person will be allowed to vote who is not a voter qualified as prescribed by the Constitution and laws of the State, in force immediately before the 20th day of May, 1861; except that the payment of a poll tax shall not be required.

All paroled soldiers of the army and navy of the pretended Confederate States, or of this State, and all paroled officers of the army and navy of the pretended Confederate States, or of this State, under and including the rank of Colonel, if of the army, and under and including the rank of Lieutenant, if of the navy, will be allowed to vote, provided they are not included in any of the fourteen excluded classes of the President's Amnesty Proclamation; and, provided further, that they are citizens of the State in accordance with the terms prescribed in the preceding paragraph.

No person will be allowed to vote who does not exhibit to the inspectors a copy of the Amnesty Oath, as contained in the President's Proclamation of May 29, 1865, and signed by himself and certified by at least two Justices of the Peace.

Printed copies of the Amnesty Oath will be furnished to the Clerks, who will distribute them to the Justices appointed to administer the oath. The Justices will deliver the certified copy to the person taking the oath, and retain the original to be transmitted to this office.

Justices of the peace are authorized to administer the Amnesty Ooath to persons who may desire to apply to the President for pardon.

The Sheriffs of the respective counties shall furnish, as soon as practicable, certificates of election to those persons who may have received the highest number of votes as members of the Convention; and the Sheriffs shall also immediately send to the office of the Secretary of State, Raleigh, a statement of the vote in their respective counties for the members aforesaid, and also a statement of the said vote, sealed up, directed to the President of the Convention, Raleigh, to be laid before the Convention.

The members of the Convention, thus chosen, will assemble in the city of Raleigh, on Monday, the second day of October, 1865.

The attention of Justices appointed to administer the Amnesty Ooath, is especially directed to the following fourteen excluded classes of the President's Amnesty Proclamation of May 29th, 1865:

"*First*—All who are, or shall have been pretended civil or diplomatic officers, or otherwise, domestic or foreign agents of the pretended Confederate government.

Second—All who left judicial stations under the United States to aid the rebellion.

Third—All who have been military or naval officers of said pretended Confederate government, above the rank of Colonel in the army or Lieutenant in the navy.

Fourth—All who left seats in the Congress of the United States to aid the rebellion.

Fifth—All who resigned or tendered resignations of their commissions in the army or navy of the United States to evade duty in resisting the rebellion.

Sixth—All who have engaged in any way in the treating otherwise than lawfully as prisoners of war persons found in the United States service, as officers, soldiers, seamen, or in other capacities.

Seventh—All persons who have been or are absentees from the United States for the purpose of aiding the rebellion.

Eighth—All military and naval officers in the rebel service who were educated by the government in the Military Academy at West Point, or the United States Naval Academy.

Ninth—All persons who held the pretended offices of Governors of States in insurrection against the United States.

Tenth—All persons who left their homes within the jurisdiction and protection of the United States and passed beyond the federal military lines into the so-called Confederate States for the purpose of aiding the rebellion.

Eleventh—All persons who have been engaged in the destruction of the commerce of the United States upon the high-seas, and persons who have made raids into the United States from Canada, or been engaged in destroying the commerce of the United States upon the lakes and rivers that separate the British provinces from the United States.

Twelfth—All persons who, at the time when they seek to obtain the benefits hereof by taking the oath herein prescribed, are in military, naval or civil confinement or custody, or under bonds of the civil, military or naval authorities or agents of the United States, as prisoners of war, or persons detained for offences of any kind either before or after conviction.

Thirteenth—All persons who have voluntarily participated in said rebellion, and the estimated value of whose taxable property is over twenty thousand dollars.

Fourteenth—All persons who have taken the oath of amnesty as prescribed in the President's proclamation of December eighth, A. D., one thousand eight hundred and sixty-three, or an oath of allegiance to the Government of the United States since the date of said proclamation, and who have not hereforward kept and maintained the same inviolate: PROVIDED, That special application may be made to the president for pardon by any person belonging to the excepted classes, and such clemency will be liberally extended as may be consistent with the facts of the case and the peace and dignity of the United States.

Under the first exception are included all persons who have been civil or diplomatic officers or agents of the pretended Confederate government, either within or without the territorial limits of the United States.

Under the seventh exception are included all officers, agents or private citizens who have been absent from the United States for the purpose of aiding the rebellion.

Under the thirteenth exception are included all who, during the rebellion, have held any office or agency under the State of pretended Confederate Government; or have in any way voluntarily joined in the rebellion, as for example, by entering or marching with armed forces hostile to the United States; by sending or furnishing money, provisions, or arms, to persons engaged in the rebellion, save in cases where money or provisions were furnished from the promptings of charity or humanity; by acting with assemblages of persons, whether organized or unorganized, hostile to the United States; or in any other way giving voluntary aid, assistance or encouragement to the rebellion; and whose taxable property on the 29th day of May, 1865, exceeded in value the sum of twenty thousand dollars.

The other exceptions are so plain as not to require explanation.

No certificate will be granted by the Justices to any person who is included within any of the fourteen excluded classes, unless on exhibition by the party of his pardon for his offence from the President.

The Justices appointed to administer the amnesty oath, and to furhish certificates of the same which shall be evidence of loyalty, are especially instructed to be vigilant and faithful.—While it will not be their duty to attempt to pry into the hearts and consciences of men, they will nevertheless admonish those who may apply to take the oath, that it must be taken and subscribed in good faith, with an honest intention on their part to keep it without secret purpose or mental reservation upon any occasion or at any time to commit any act in violation of said oath; and they will warn them that if the oath is not thus taken and kept, the pardon offered them by the President will be void, and they will remain subject to trial under the law for perjury and treason.

The Justices, Clerks and Sheriffs, whose duty it is to provide for administering the oath and to conduct the elections, are enjoined to use every practicable means to enable every citizen to take the oath who may desire and be entitled to do so. And the Inspectors are enjoined to inspect and examine fairly and truly to decide in every case in accordance with the law, and with the instructions they have received from this office, and to make prompt and correct returns of the number of votes and for whom cast, at their respective precincts.

Done at our city of Raleigh, the 8th day of August, one thousand eight hundred and sixty-five, and in the year of the independence of the United States the eighty-ninth.

WILLIAM W. HOLDEN.
PROVISIONAL GOVERNOR.

By the Goverhor:
LEWIS HANES, Private Secretary.

NEW SKIRT FOR 1865

The Great Invention of the Age in

HOOP SKIRTS.

J. W. BRADLEY'S NEW PATENT DUPLEX ELLIPTIC, (OR DOUBLE) SPRING SKIRT. This invention consists of Duplex (or two) Elliptic Pure Refined Steel Springs, ingeniously braided tightly and firmly together, edge to edge, making the toughest, most flexible, elastic and durable Spring ever used. They seldom bend or break, like the Single Springs, and consequently preserve their perfect and beautiful shape more than twice as long as any single spring skirt that ever has or can be made.

The wonderful flexibility and great comfort and pleasure to any lady wearing the Duplex Elliptic Skirt will be experienced particularly in all crowded assemblies, operas, carriages, railroad cars, church pews, arm chairs, for promenade and house dress, as the skirt can be folded when in use to occupy a small place as easily and conveniently as a silk or muslin dress.

A lady having enjoyed the pleasure, comfort and great convenience of wearing the Duplex Elliptic Steel Spring Skirt for a single day will never afterwards willingly dispense with their use. For children, Misses and Young Ladies they are superior to all others.

The Hoops are covered with 2 ply double twisted thread and will wear twice as long as the single yarn covering which is used on all single steel hoop skirts. The three bottom rods on every skirt are also Double Steel, and twice or double covered to prevent the covering from wearing off the rods when dragging down stairs, stone steps, &c., &c., which they are constantly subject to when in use.

All are made of the new and elegant corded tapes, and are the best quality in every part, giving to the wearer the most graceful and perfect shape possible, and are unquestionably the lightest, most desirable comfortable and economical skirt ever made.

WEST'S BRADLEY & CARY,

Late J. I. & J. O. West, Proprietors of the Invention and sole manufacturers, 97 Chambers and 79 & 81 Reade Streets, New York.

For sale in all first-class stores in this city, and throughout the United States and Canadas, Havana de Cuba, Mexico, South America, and the West Indies. Inquire for the Duplex Elliptic [or double] Spring Skirt. 59—dly

DR. M. WHITEHEAD,

OFFICE AT HIS RESIDENCE,

WHERE he can be found at all hours unless

Professionally Engaged.

Salisbury June 15, 1865.

DR. C. A. HENDERSON,

RESPECTFULLY INFORMS THE PUBLIC that he is still engaged in the practice of Medicine. Office up stairs at

HENDERSON & SCHAFER'S

Drug Store, Salisbury North Carolina.

McCubbins, Foster and Co.

ARE opening a store at the old stand of Murphy & Co., and are receiving consignments to sell on Commission. They intend by the 20th Sept. to have a large and general assortment of goods direct from New York. 1m.

Aug. 12 1865.

DR. NESBITT.

STILL PRACTICE MEDICINE, SURGERY and Midwifery.

Salisbury N. C., June 22, 1865 1y